

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature. I think since Senator Luedtke has such a profound interest in this bill, he should not preside over the discussion of the bill. Now Senator Luedtke, this is said without rancor but it would be difficult for me to handle something like this at which I had so much at stake and I think it would be best and I'll ask for a vote if necessary, that somebody else preside while we're discussing...

SPEAKER LUEDTKE: As soon as this matter is over you may so request. I'm going to proceed with what I started. Senator Reutzel. (No response). Senator Carsten.

SENATOR CARSTEN: Mr. President, members of the Legislature. I rise for a point of information Mr. President.

SPEAKER LUEDTKE: State your point.

SENATOR CARSTEN: I apologize to you and to this body. I was on the phone when the discussion was brought up and I would like to have the point, the question. I know we're voting to overrule, but what brought forth the cause for the motion to overrule? Was it, are we dealing with the proper article in the criminal code. Is that correct?

SPEAKER LUEDTKE: Senator Carsten, we'll let the Clerk give you a resume of what occurred and the motion before the House.

CLERK: Here's what we understand the issue to be. Senator Venditte offered an amendment on page 5 of the bill which is not in Article 4, which is what has been before us for a couple of days. Senator Barnett raised the point of order on the grounds that we were considering only Article 4. Senator Luedtke sustained that objection and said that we would consider only amendments to Article 4. Senator Chambers moved to overrule the Chair's ruling that only Article 4 is before us.

SPEAKER LUEDTKE: And the other point being, Senator Chambers, I'll mention it because I know what you're going to say. The point being as to the vote. I stated that this was a Speaker's order under the agenda, Speaker's order being that we were taking this up article by article and that any appeal then would have to overrule the Speaker's agenda, item on the agenda and the way it's being taken up. The motion that we were discussing did not amend Article 4. That's the point. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I thought that the statement from the Chair was broader than that. I thought the statement and Senator Barnett's question was based on what he said was an understanding that no other amendments would be taken once we're passed an area until the whole code has been discussed. That's what I'm trying to overrule. That was my understanding.

SPEAKER LUEDTKE: Senator Chambers, in effect, that is what it says. That we're going to only take up this thing...we agreed to this the first day, article by article and amend only that article and then we'll come back and you can amend it until the end of the session if you want to.